

# In the Supreme Court of the United States.

OCTOBER TERM, 1898.

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MARCUS A. SPURR, PETITIONER,	} No. 448.
v.	
THE UNITED STATES.	

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## MOTION TO ADVANCE.

The defendant in this case, formerly president of the Commercial National Bank of Nashville, Tenn., was convicted in April, 1896, in the circuit court of the United States for the middle district of Tennessee, of a violation of section 5208 of the Revised Statutes in unlawfully certifying certain checks. He sued out a writ of error from the circuit court of appeals for the sixth circuit, which affirmed the judgment of the circuit court. The case is before this court on a writ of certiorari granted upon the petition of the defendant.

The defendant has been tried three times for the offense for which he was indicted in 1893, the first two trials resulting in disagreements of the juries. He is now, and has been for a long time, at large on bail in the sum of \$10,000. In the meantime, I am advised the cashier

of the bank, charged with a similar offense, growing out of the same transactions, has been indicted, tried, and served out his term of imprisonment in the penitentiary. In view of the long delay in this cause the Solicitor-General respectfully moves the court to advance the cause upon the docket for hearing on such day during the present term as may be convenient to the court, in order that the sentence may be executed promptly or a new trial had.

Notice of this motion has been served on counsel for the defendant, and proof of service filed with the clerk of this court.

JOHN K. RICHARDS,  
*Solicitor-General.*

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